

**QUINTAIROS, PRIETO, WOOD & BOYER, P.A.**

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*Attorneys for Defendants*

*CKS Prime Investments, LLC a/k/a*

*CKS Prime Investment and*

*Velocity Portfolio Group, Inc.*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

Fawaz Khouri,

Plaintiff,

v.

Equifax Information Services, LLC; Experian  
Information Solutions, Inc.; CKS Prime  
Investments, LLC a/k/a CKS Prime Investment;  
Velocity Portfolio Group, Inc.; and CKS  
Financial, LLC a/k/a CKS Financial,

Defendants.

Case No. 2:21-cv-2162

**DEFENDANTS CKS PRIME  
INVESTMENTS, LLC a/k/a CKS  
PRIME INVESTMENT and VELOCITY  
PORTFOLIO GROUP, INC.'s ANSWER  
TO COMPLAINT**

Defendants, CKS Prime Investments, LLC a/k/a CKS Prime Investment (“Prime”) and  
Velocity Portfolio Group, Inc. (“Velocity”), by and through their undersigned attorneys, and  
for their answer and affirmative defenses to Plaintiff’s Complaint, state as follows:

1. For Paragraph 1, Defendants admit that Plaintiff brings this lawsuit under the  
FCRA, but deny that they are liable to Plaintiff and deny the remaining allegations in this  
Paragraph.

**JURISDICTION AND VENUE**

2. For Paragraph 2, subject to their affirmative defenses, Defendants do not contest  
jurisdiction.

3. For Paragraph 3, Defendants do not contest venue.

**PARTIES**

4. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 4.

5. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 5.

6. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 6.

7. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 7.

8. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 8.

9. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 9.

10. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 10.

11. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 11.

12. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 12.

13. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 13.

14. Prime admits in Paragraph 14 that, in certain circumstances and in certain instances, it furnishes information to consumer reporting agencies.

Upon information and belief, and based on Prime's response, Velocity admits in Paragraph 14 that, in certain circumstances and in certain instances, Prime furnishes information to consumer reporting agencies.

1           15. Defendants admit the allegations in Paragraph 15.

2           16. Velocity admits in Paragraph 16 that, in certain circumstances and in certain  
3 instances, it furnishes information to consumer reporting agencies.

4           Upon information and belief, and based on Velocity's response, Prime admits in  
5 Paragraph 16 that, in certain circumstances and in certain instances, Velocity furnishes  
6 information to consumer reporting agencies.

7           17. Velocity admits in Paragraph 17 that one of its offices is located at 1800 Route  
8 34 North Building 4, Suite 404A, Wall Township, NJ 07719.

9           Upon information and belief, and based on Velocity's response, Prime admits in  
10 Paragraph 17 one of Velocity's offices is located at 1800 Route 34 North Building 4, Suite 404A,  
11 Wall Township, NJ 07719.

12           18. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
13 form a belief about the truth of the allegations in Paragraph 18.

14           19. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
15 form a belief about the truth of the allegations in Paragraph 19.

16           20. Defendants deny that the allegations in Paragraph 20 accurately characterize their  
17 conduct when considered as a whole.

18           21. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
19 form a belief about the truth of the allegations in Paragraph 21.

20           22. Defendants deny that the allegations in Paragraph 22 accurately characterize their  
21 conduct when considered as a whole.

22                                   **FACTUAL ALLEGATIONS**

23           23. For Paragraph 23, Defendants repeat and restate their answers to the above  
24 Paragraphs as if fully set forth herein.

25           24. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
26 form a belief about the truth of the allegations in Paragraph 24.

27           25. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
28

1 form a belief about the truth of the allegations in Paragraph 25.

2 26. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
3 form a belief about the truth of the allegations in Paragraph 26.

4 27. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
5 form a belief about the truth of the allegations in Paragraph 27.

6 28. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
7 form a belief about the truth of the allegations in Paragraph 28.

8 29. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
9 form a belief about the truth of the allegations in Paragraph 29.

10 30. Defendants deny that the allegations in Paragraph 30 accurately characterize their  
11 conduct when considered as a whole.

12 31. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
13 form a belief about the truth of the allegations in Paragraph 31.

14 32. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
15 form a belief about the truth of the allegations in Paragraph 32.

16 33. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
17 form a belief about the truth of the allegations in Paragraph 33.

18 34. Defendants deny that the allegations in Paragraph 34 accurately characterize their  
19 conduct when considered as a whole.

20 35. Defendants deny that the allegations in Paragraph 35 accurately characterize their  
21 conduct when considered as a whole.

22 36. Defendants deny that the allegations in Paragraph 36 accurately characterize their  
23 conduct when considered as a whole.

24 37. Defendants deny that the allegations in Paragraph 37 accurately characterize their  
25 conduct when considered as a whole.

26 38. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
27 form a belief about the truth of the allegations in Paragraph 38.

28 DEFENDANTS' ANSWER TO COMPLAINT - 4

1           39.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
2 form a belief about the truth of the allegations in Paragraph 39.

3           40.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
4 form a belief about the truth of the allegations in Paragraph 40.

5           41.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
6 form a belief about the truth of the allegations in Paragraph 41.

7           42.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
8 form a belief about the truth of the allegations in Paragraph 42.

9           43.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
10 form a belief about the truth of the allegations in Paragraph 43.

11          44.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
12 form a belief about the truth of the allegations in Paragraph 44.

13          45.     Defendants deny that the allegations in Paragraph 45 accurately characterize their  
14 conduct when considered as a whole.

15          46.     Defendants deny that the allegations in Paragraph 46 accurately characterize their  
16 conduct when considered as a whole.

17          47.     Defendants deny that the allegations in Paragraph 47 accurately characterize their  
18 conduct when considered as a whole.

19          48.     Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
20 form a belief about the truth of the allegations in Paragraph 48.

21          49.     Defendants deny that the allegations in Paragraph 49 accurately characterize their  
22 conduct when considered as a whole.

23          50.     Defendants deny that the allegations in Paragraph 50 accurately characterize their  
24 conduct when considered as a whole.

25          51.     Defendants deny the allegations in Paragraph 51.

26          52.     Defendants deny the allegations in Paragraph 52.

27          53.     Defendants deny the allegations in Paragraph 53.

54. Defendants deny the allegations in Paragraph 54.

55. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 55.

56. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 56.

57. Defendants deny the allegations in Paragraph 57.

58. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 58.

59. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 59.

60. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 60.

61. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 61.

62. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 62.

63. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 63.

64. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 64.

65. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 65.

66. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 66.

67. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 67.

68. Defendants deny the allegations in Paragraph 68.

69. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 69.

70. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 70.

71. Defendants deny the allegations in Paragraph 71.

7.2 Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 72.

73. Defendants deny the allegations in Paragraph 73.

74. Defendants deny the allegations in Paragraph 74.

75. Defendants deny the allegations in Paragraph 75.

76. Defendants deny the allegations in Paragraph 76.

77. Defendants deny the allegations in Paragraph 77.

78. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 78.

79. Defendants deny the allegations in Paragraph 79.

### **DAMAGES**

80. Defendants deny the allegations in Paragraph 80.

81. Defendants deny the allegations in Paragraph 81.

82. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 82.

83. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 83.

84. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 84.

85. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 85.

86. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to

1 form a belief about the truth of the allegations in Paragraph 86.

2 87. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
3 form a belief about the truth of the allegations in Paragraph 87.

4 88. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
5 form a belief about the truth of the allegations in Paragraph 88.

6 89. Upon reasonable inquiry, Defendants lack knowledge or information sufficient to  
7 form a belief about the truth of the allegations in Paragraph 89.

8 90. Defendants deny the allegations in Paragraph 90.

9 **FIRST CAUSE OF ACTION**

10 **(Willful Violation of the FCRA as to the Bureaus)**

11 91. For Paragraph 91, Defendants repeat and restate their answers to Paragraphs 1-  
12 87 as if fully set forth herein.

13 92. Defendants make no response to the allegations in Paragraph 92 because the  
14 allegations are not directed against them. To the extent the allegations are directed against them,  
15 Defendants deny the allegations in Paragraph 92.

16 93. Defendants make no response to the allegations in Paragraph 93 because the  
17 allegations are not directed against them. To the extent the allegations are directed against them,  
18 Defendants deny the allegations in Paragraph 93.

19 94. Defendants make no response to the allegations in Paragraph 94 because the  
20 allegations are not directed against them. To the extent the allegations are directed against them,  
21 Defendants deny the allegations in Paragraph 94.

22 95. Defendants make no response to the allegations in Paragraph 95 because the  
23 allegations are not directed against them. To the extent the allegations are directed against them,  
24 Defendants deny the allegations in Paragraph 95.

25 96. Defendants make no response to the allegations in Paragraph 96 because the  
26 allegations are not directed against them. To the extent the allegations are directed against them,  
27 Defendants deny the allegations in Paragraph 96.



1           97. Defendants make no response to the allegations in Paragraph 97 because the  
2 allegations are not directed against them. To the extent the allegations are directed against them,  
3 Defendants deny the allegations in Paragraph 97.

4           98. Defendants make no response to the allegations in Paragraph 98 because the  
5 allegations are not directed against them. To the extent the allegations are directed against them,  
6 Defendants deny the allegations in Paragraph 98.

7           99. Defendants make no response to the allegations in Paragraph 99, including any  
8 subparagraphs, because the allegations are not directed against them. To the extent the  
9 allegations are directed against them, Defendants deny the allegations in Paragraph 99, including  
10 all subparagraphs.

11           100. Defendants make no response to the allegations in Paragraph 100 because the  
12 allegations are not directed against them. To the extent the allegations are directed against them,  
13 Defendants deny the allegations in Paragraph 100.

14           101. Defendants make no response to the allegations in Paragraph 101 because the  
15 allegations are not directed against them. To the extent the allegations are directed against them,  
16 Defendants deny the allegations in Paragraph 101.

17           102. Defendants make no response to the allegations in Paragraph 102 because the  
18 allegations are not directed against them. To the extent the allegations are directed against them,  
19 Defendants deny the allegations in Paragraph 102.

20                           **SECOND CAUSE OF ACTION**

21                           **(Negligent Violation of the FCRA as to the Bureaus)**

22           103. For Paragraph 103, Defendants repeat and restate their answers to Paragraphs 1-  
23 87 as if fully set forth herein.

24           104. Defendants make no response to the allegations in Paragraph 104 because the  
25 allegations are not directed against them. To the extent the allegations are directed against them,  
26 Defendants deny the allegations in Paragraph 104.

27           105. Defendants make no response to the allegations in Paragraph 105 because the  
28

1 allegations are not directed against them. To the extent the allegations are directed against them,  
2 Defendants deny the allegations in Paragraph 105.

3 106. Defendants make no response to the allegations in Paragraph 106 because the  
4 allegations are not directed against them. To the extent the allegations are directed against them,  
5 Defendants deny the allegations in Paragraph 106.

6 107. Defendants make no response to the allegations in Paragraph 107 because the  
7 allegations are not directed against them. To the extent the allegations are directed against them,  
8 Defendants deny the allegations in Paragraph 107.

9 108. Defendants make no response to the allegations in Paragraph 108 because the  
10 allegations are not directed against them. To the extent the allegations are directed against them,  
11 Defendants deny the allegations in Paragraph 108.

12 109. Defendants make no response to the allegations in Paragraph 109 because the  
13 allegations are not directed against them. To the extent the allegations are directed against them,  
14 Defendants deny the allegations in Paragraph 109.

15 110. Defendants make no response to the allegations in Paragraph 110 because the  
16 allegations are not directed against them. To the extent the allegations are directed against them,  
17 Defendants deny the allegations in Paragraph 110.

18 111. Defendants make no response to the allegations in Paragraph 111, including  
19 subparagraphs, because the allegations are not directed against them. To the extent the  
20 allegations are directed against them, Defendants deny the allegations in Paragraph 111,  
21 including all subparagraphs.

22 112. Defendants make no response to the allegations in Paragraph 112 because the  
23 allegations are not directed against them. To the extent the allegations are directed against them,  
24 Defendants deny the allegations in Paragraph 112.

25 113. Defendants make no response to the allegations in Paragraph 113 because the  
26 allegations are not directed against them. To the extent the allegations are directed against them,  
27 Defendants deny the allegations in Paragraph 113.

114. Defendants make no response to the allegations in Paragraph 114 because the allegations are not directed against them. To the extent the allegations are directed against them, Defendants deny the allegations in Paragraph 114.

**THIRD CAUSE OF ACTION**

**(Willful Violation of the FCRA as to Furnishers)**

115. For Paragraph 115, Defendants repeat and restate their answers to Paragraphs 1-87 as if fully set forth herein.

116. Defendants admit in Paragraph 116 that this Complaint is being brought under the FCRA. Defendants deny that they are liable to Plaintiff and deny the remaining allegations in Paragraph 116.

117. Defendants deny that the allegations in Paragraph 117 accurately characterize their conduct when considered as a whole.

118. Defendants deny that the allegations in Paragraph 118 accurately characterize their conduct when considered as a whole.

119. Defendants deny that the allegations in Paragraph 119 accurately characterize their conduct when considered as a whole.

120. Defendants deny that the allegations in Paragraph 120 accurately characterize their conduct when considered as a whole.

121. Defendants deny the allegations in Paragraph 121.

122. Defendants deny the allegations in Paragraph 122.

123. Defendants deny the allegations in Paragraph 123.

124. Defendants deny the allegations in Paragraph 124.

125. Defendants deny the allegations in Paragraph 125.

**FOURTH CAUSE OF ACTION**

**(Negligent Violation of the FCRA as to Furnishers)**

126. For Paragraph 126, Defendants repeat and restate their answers to Paragraphs 1-87 as if fully set forth herein.

1           127. For Paragraph 127, Defendants admit only that this Complaint is being brought  
2 under the FCRA. Defendants deny that they are liable to Plaintiff and deny the remaining  
3 allegations in Paragraph 127.

4           128. Defendants deny that the allegations in Paragraph 128 accurately characterize  
5 their conduct when considered as a whole.

6           129. Defendants deny that the allegations in Paragraph 129 accurately characterize  
7 their conduct when considered as a whole.

8           130. Defendants deny that the allegations in Paragraph 130 accurately characterize  
9 their conduct when considered as a whole.

10          131. Defendants deny that the allegations in Paragraph 131 accurately characterize  
11 their conduct when considered as a whole.

12          132. Defendants deny the allegations in Paragraph 132.

13          133. Defendants deny the allegations in Paragraph 133.

14          134. Defendants deny that the allegations in Paragraph 134 accurately characterize  
15 their conduct when considered as a whole.

16          135. Defendants deny the allegations in Paragraph 135.

17          136. Defendants deny that the allegations in Paragraph 136 accurately characterize  
18 their conduct when considered as a whole.

19          137. Defendants deny the allegations in Paragraph 137.

20          138. Defendants deny the allegations in Paragraph 138.

21                           **DEMAND FOR TRIAL BY JURY**

22          139. Defendants admit that Plaintiff has requested a jury trial in Paragraph 139.

23          140. All paragraphs, including subparagraphs, in the Complaint not expressly admitted  
24 by Defendants, are hereby denied.

25          141. Defendants demand a trial by jury for all claims and issues in the Complaint.

26       ///

27       ///

**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**

The Complaint fails to set forth facts sufficient to state a claim against Defendants for which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred in whole or in part by the doctrine of waiver.

**THIRD AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred in whole or in part by the doctrine of estoppel.

**FOURTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred in whole or in part by the doctrine of unclean hands.

**FIFTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred to the extent that recovery from Defendants would result in Plaintiff's unjust enrichment.

**SIXTH AFFIRMATIVE DEFENSE**

To the extent that Plaintiff has suffered any damages as a result of the matters alleged in the Complaint, which Defendants deny, Plaintiff failed to mitigate those damages, and therefore, the claims are barred in whole or in part.

**SEVENTH AFFIRMATIVE DEFENSE**

Plaintiff lacks standing to bring a claim against Defendants because he has not sustained any cognizable injury or damages, has not incurred an injury in fact, and therefore does not have standing under Article III of the United States Constitution to bring the instant claims.

**EIGHTH AFFIRMATIVE DEFENSE**

Plaintiff is barred from recovery in that any damage sustained by Plaintiff was the direct and proximate result of the independent, intervening, negligent and/or unlawful conduct of independent third parties or their agents, and not any act or omission on the part of Defendants.

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**NINTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred, in whole or in part, to the extent Plaintiff did not sustain any loss.

**TENTH AFFIRMATIVE DEFENSE**

Plaintiff failed to comply with the procedural requirements of the applicable statutes, and his claims are therefore barred as a matter of law.

**ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred by the applicable statute of limitations.

**TWELFTH AFFIRMATIVE DEFENSE**

Plaintiff's claims for damages are speculative and form no basis for recovery.

**THIRTEENTH AFFIRMATIVE DEFENSE**

Plaintiff's alleged injuries (emotional, psychological, and otherwise) are unrelated to the alleged conduct by Defendants, and resulted from acts, occurrences, and conditions for which Defendants are not liable or responsible.

**FOURTEENTH AFFIRMATIVE DEFENSE**

Defendants are not legally responsible for the damages that may be claimed by Plaintiff; however, if Defendants are found to be legally responsible in any manner, then they allege that their legal responsibilities are not the sole and proximate cause of the injuries and the damages awarded, if any, which are to be apportioned in accordance with the fault and legal responsibility of all non-defendant parties, persons, and entities, or the agents, servants, and employees of non-defendant parties, persons and entities, who contributed to and/or caused said damages, according to proof presented at the time of trial.

**FIFTEENTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred because the damages he alleges, if any, have been the result of other superseding and/or intervening cause(s), and were not proximately caused by Defendants.

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**SIXTEENTH AFFIRMATIVE DEFENSE**

At all relevant times, Defendants had a legitimate basis to furnish information to the Consumer Reporting Agencies.

**SEVENTEENTH AFFIRMATIVE DEFENSE**

To the extent Defendants are a furnisher under the FCRA, Plaintiff has no private right of action against them.

**EIGHTEENTH AFFIRMATIVE DEFENSE**

Plaintiff has not complied with the provisions of the FCRA, and therefore, his claims are pre-empted or barred as a matter of law.

**NINETEENTH AFFIRMATIVE DEFENSE**

Defendants fully complied with all requirements of the FCRA.

**TWENTIETH AFFIRMATIVE DEFENSE**

Defendants reserve all defenses available under the FCRA, and any corresponding rules or regulations promulgated thereunder.

**TWENTY-FIRST AFFIRMATIVE DEFENSE**

At all relevant times, Defendants acted within the absolute and qualified privileges afforded them under the FCRA, and the United States Constitution, applicable State Constitutions and common law.

**TWENTY-SECOND AFFIRMATIVE DEFENSE**

Plaintiff is not entitled to any recovery because any alleged acts or omissions were made by Defendants in good faith in conformity with and reliance on applicable administrative regulations, orders, rulings, approvals, or interpretations, or administrative practices or enforcement policies with respect to the class of entities to which Defendants belong.

**TWENTY-THIRD AFFIRMATIVE DEFENSE**

Defendants' conduct was not willful or knowing, and Plaintiff is therefore not entitled to punitive damages under the FCRA.

**TWENTY-FOURTH AFFIRMATIVE DEFENSE**

Defendants state that upon information and belief, arbitration is the appropriate venue for Plaintiff's claims, as Defendants possess arbitration rights based on contracts entered into by Plaintiff, and this matter is precluded from proceeding within the United States District Court.

**TWENTY-FIFTH AFFIRMATIVE DEFENSE**

Defendants have insufficient knowledge or information on which to form a belief as to whether it may have additional, as yet unstated, affirmative defenses available. Defendants reserve the right to assert additional affirmative defenses or a counterclaim in the event discovery indicates such defenses or a counterclaim would be appropriate.

**PRAYER**

WHEREFORE, Defendants pray for judgment as follows:

1. That the Complaint and every cause of action alleged therein be dismissed with prejudice as to Defendants;

2. That Plaintiff's prayers for relief, and each of them, be denied insofar as they seek relief from Defendants;

3. That judgment be entered in favor of Defendants;

4. That Defendants be awarded costs and fees; and

5. For any such other and further relief the Court may deem just and proper.

DATED this 12<sup>th</sup> day of April, 2022.

**QUINTAIROS, PRIETO, WOOD & BOYER,  
P.A.**

By: /s/ Michael Ayers  
Michael Ayers, Esq. (NV Bar No. 10851)  
Clark V. Vellis, Esq. (NV Bar No. 5533)  
200 S. Virginia Street, 8<sup>th</sup> Floor  
Reno, Nevada 89501  
*Attorneys for Defendants*  
*CKS Prime Investments, LLC a/k/a*  
*CKS Prime Investment and*  
*Velocity Portfolio Group, Inc.*



**CERTIFICATE OF SERVICE**

I hereby certify I am an employee of Quintairos, Prieto, Wood & Boyer, P.A. that on this date, I served a copy of the foregoing **DEFENDANTS' ANSWER TO COMPLAINT** upon the party below via electronic service through the United States District Court for the District of Nevada's ECF system:

Robert M. Tzall, Esq.  
Contemporary Legal Solutions  
2551 North Green Valley Parkway  
Building C, Suite 303  
Henderson, NV 89014  
[office@contemporarylegalsolutions.com](mailto:office@contemporarylegalsolutions.com)  
*Attorneys for Plaintiff*

DATED this 12<sup>th</sup> day of April, 2022.

By: /s/ Christine L. Miller  
An employee of Quintairos, Prieto,  
Wood & Boyer, P.A.